

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ZHIZHENG WANG,

Plaintiff,

v.

BRUCE HULL,

Defendant.

NO. C18-1220RSL

ORDER DENYING PLAINTIFF'S
MOTION TO CORRECT
SCHEDULING ORDER

DECATHLON ALPHA III, L.P.,

Intervenor Plaintiff,

v.

ZHIZHENG WANG.

Intervenor Defendant.

This matter comes before the Court on plaintiff Zhizheng Wang's "Motion to Correct Scheduling Order, ECF No. 86[,] to Reflect the Fact that the Discovery Deadline Has Now Expired." Dkt. # 102. Plaintiff seeks this relief under Fed. R. Civ. P. 60(a), arguing that a clerical mistake occurred when the discovery deadline was extended for 120 days rather than the 30 days requested by the parties.

ORDER DENYING PLAINTIFF'S MOTION
TO CORRECT SCHEDULING ORDER - 1

1 The motion is DENIED as untimely and on the merits. Counsel realized within a week of
2 the new case management order's issuance that the discovery deadline had been extended
3 commensurate with the trial date extension. Instead of seeking relief in a timely manner, he
4 waited until defendant sought to schedule his client's deposition to bring the supposed error to
5 the Court's attention, apparently hoping to retroactively invalidate the discovery efforts. Nor was
6 the extension of the discovery deadline a clerical error. The parties requested an extension of the
7 discovery and dispositive motion deadlines while leaving the trial date in place. That would have
8 reduced the period of time in which the Court could rule on motions for summary judgment. The
9 schedule proposed by the parties was unacceptable, and a new trial date was chosen. There being
10 no indication that the discovery extension was for a limited purpose or that the parties wanted an
11 extension until March 4, 2020, but no further, the Court used its standard scheduling order with
12 the new trial date. The discovery extension was intentional and cannot be corrected under Rule
13 60 as a clerical mistake.

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17 For all of the foregoing reasons, plaintiff's motion to correct the case management order
18 is DENIED.
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21 Dated this 17th day of June, 2020.

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23 Robert S. Lasnik
24 United States District Judge
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